United Nations A/HRC/38/12

General Assembly

Distr.: General
6 April 2018

Original: English

Human Rights Council
Thirty-eighth session
18 June–6 July 2018
Agenda item 6
Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Barbados

* The annex is being circulated without formal editing, in the language of submission only.

GE.18-05403(E)

1805403

Please recycle

Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-ninth session from 15 to 26 January 2018. The review of Barbados was held at the 9th meeting, on 19 January 2018. The delegation of Barbados was headed by the Minister of Social Care, Constituency Empowerment and Community Development, The Hon. Steven Blackett. At its 14th meeting, held on 23 January 2018, the Working Group adopted the report on Barbados.

2. On 10 January 2018, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Barbados: Afghanistan, Democratic Republic of Congo and Mexico.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Barbados:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/29/BRB/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/29/BRB/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/29/BRB/3).

4. A list of questions prepared in advance by Belgium, Germany, Liechtenstein, Portugal, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland was transmitted to Barbados through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation stated that, despite the many changes that had occurred locally and internationally, the people of Barbados continued to attach great importance to core values, like perseverance, pride and industry, which had made them strong throughout their history.

6. Barbados remained committed to the promotion and protection of human rights and fundamental freedoms, as well as respect for the dignity of all persons. Those priorities were reflected in the investment that the Government had made on education, social services and social security, which continued to consume approximately two thirds of the national budget. Such expenditure did not come easily, a fact that was better appreciated with reference to the current economic climate.

7. Successive administrations in Barbados had championed equality for women. In the workplace, all government employees had equality of pay and promotion was strictly on the basis of merit. Currently, the majority of the heads of ministries and departments in the civil service were women.

8. In Barbados, there were 107 publicly funded educational facilities, which ranged from the nursery level to the post-secondary and tertiary levels. Women were the heads of over 71 per cent of those institutions.

9. The delegation noted that achievements were not limited to the field of education, as women in Barbados were not restricted in the number or type of occupations and posts that they could occupy. They were also free to seek election to the House of Assembly and be elected by the people.

10. Primary care and environmental health services were offered to all Barbadians and permanent residents free at the point of delivery. All pregnant women living in Barbados

could access obstetric care within the network of polyclinics or at the Queen Elizabeth Hospital. Consequently, Barbados did not have a high rate of maternal mortality.

11. The delegation noted that, on the matter of conferring citizenship to a spouse, the Constitution of Barbados was amended by the Constitution (Amendment) Act (2000-18) and provided, in section 3A (1) (b), for citizenship to be granted to the spouses of Barbadian-born men, as well as those of Barbadian-born women.

12. In addition, a person born outside Barbados after 29 November 1966 was entitled to Barbadian citizenship at birth if at least one parent was a Barbadian citizen by birth.

13. The Domestic Violence (Protection Orders) Act had been amended by the Domestic Violence (Protection Orders) (Amendment) Act, 2016, which made provision for the definition of the term "domestic violence" and made greater provision for the safety of victims and children. The amendment enabled more persons to apply for orders, defined new types of abuse and gave the police additional powers. The amendment also included a mandatory reporting protocol and acknowledged that allowing a child to observe domestic violence was a form of abuse. Work continued on the Juvenile Justice Bill, in which the term "child" was defined as a person under the age of 18 years.

14. The Government of Barbados viewed all violence as a cause for concern. While Barbados had the appropriate legislative and administrative measures to combat domestic violence and the physical abuse of children, cooperation to strengthen current initiatives would be welcomed. To strengthen its ability to craft or modify policy, Barbados had requested access to programmes and training opportunities and assistance to develop and deploy appropriate statistical indicators in furthering the cause of human rights.

15. An interministerial committee had been created to oversee, among other things, the establishment of a national human rights institution. Such an institution would be broadly responsible for promoting and protecting human rights in the country.

16. Barbados had ratified the Convention on the Rights of Persons with Disabilities on 27 February 2013 and the first draft of the Persons with Disabilities Bill was under review. The Bill sought to give the Convention on the Rights of Persons with Disabilities the force of law in Barbados.

17. The Employment (Prevention of Discrimination) Bill was also being developed to cover areas such as the prevention of discrimination in job creation, recruiting and prevention of discrimination in employment. The Bill imposed an obligation on employers to make reasonable adjustments for the accommodation of persons with disabilities. It also created a prohibition against testing for medical conditions.

18. Work was ongoing on the Building Standards Bill and Code. The Bill and Code sought to impose building standards to address the needs of persons with disabilities.

19. The Road Traffic (Amendment) Act, 2017, amended the Road Traffic Act to insert a new section to address parking for persons with disabilities.

20. The delegation announced that Barbados had well-established programmes for older persons, which were premised on the concepts of "active ageing" and "ageing in place". That was necessary as Barbadians continued to live longer and the country continued to record high numbers of centenarians. Statistics compiled as of May 2016 indicated that there were 114 centenarians alive on the island, of whom 103 were women and 11 men. Furthermore, that number contained 14 persons, 13 women and 1 man, considered to be semi-super centenarians, with ages ranging from 105 to 109.

21. While life expectancy was important, the quality of life was also essential. The Government had, therefore, produced initiatives to encourage enjoyment of life regardless of age. The Active Ageing programme, for example, sought to keep older persons active for as long as possible. Government-sponsored activities allowed older persons to engage in varying forms of exercise, drama, dance and craft, while in the National Senior Games, older persons competed against each other in track and field and fun events. Ageing in Place was an alternative programme to institutional care, in which older persons were afforded the opportunity to stay in their own homes. Under the Home Care programme, clients were given the required support by trained staff in order to maintain their independence.

22. The Ministry of Social Care, Constituency Empowerment and Community Development had been collaborating with the Office of the Chief Parliamentary Counsel to provide legislation that addressed those issues relating to older persons that fell under the aegis of the National Assistance Board, which had primary responsibility for protecting and promoting the rights of older persons.

23. The Committee to Monitor the Implementation of the National Policy on Ageing had been established. The Committee was considering the issues of elder abuse and the introduction of an elder abuse protocol, as recommended in the Policy.

24. The Government, having received the comments and recommendations of the Committee, was committed to revamping the National Assistance Board to create a new institution that would become the focal point for the legislative affairs of older persons. It was also expected that, as a result of the National Policy on Ageing, there would be legislation dealing with elder abuse and support for caregivers as an incentive to keep their elderly relatives at home and within the community as long as possible.

25. The Government had continued its efforts to improve the professionalism of the Royal Barbados Police Force. In doing so, it had enhanced citizen security and broadened the focus of the Police Force from crime control to the pursuit of the goals identified through consultation with key stakeholders.

26. With regard to professionalization, polygraph testing had been introduced for all police officers at entry level and the Police Force had also started phasing in video recording of police interviews. The Evidence (Amendment) Act came into operation with effect from 15 December 2017 to make provision for sound recordings, video identification and other related matters.

27. Elements of accountability within the Police Force included the Police Disciplinary Code, as enshrined in the laws of Barbados, and the use of a disciplinary mechanism that included the Office of Professional Responsibility, the Police Complaints Authority and the Office of the Ombudsman. Members of the Police Force also continued to receive human rights training, which was routinely conducted by a range of qualified professionals.

28. The Government was in the process of furthering draft labour legislation. For example, the Employment (Prevention of Discrimination) Bill, which dealt specifically with the right to work and to just and favourable conditions of work. The Bill sought to protect persons from discrimination related to employment on the basis of race, origin, political opinion, colour, creed, sex, social status, marital or domestic partnership status, pregnancy, maternity, family responsibility, medical condition, disability and age.

29. The Government had enacted the Employment Sexual Harassment (Prevention) Act, 2017. The legislation provided for the protection of employees, in both the public and private sectors, from sexual harassment at their workplaces. It also provided a framework for the reporting of sexual harassment cases by employees and a method of resolving such cases, and established a procedure for the hearing and determination of matters related to sexual harassment.

30. There was no political mandate to legalize same-sex relationships. Similarly, there was no national consensus on the issue of repealing the country's laws on buggery.

31. Same-sex relations were not criminalized in legislation, what was criminalized was buggery, and there was no intervention by the law between consenting adults. However, in a case in which a minor was involved, or in the case of non-consenting adults, prosecution was possible against the offender.

32. Barbados stated that the Cabinet had given its approval to ratify the United Nations Convention against Corruption and to accede to the Inter-American Convention against Corruption.

33. Barbados had also ratified the Arms Trade Treaty and the United Nations Convention against Transnational Organized Crime and its Protocols. In addition, it had replaced the Transnational Organized Crime (Prevention and Control) Act, 2013, with the Trafficking in Persons Prevention Act, 2016, in order to prevent and deter human trafficking in several areas.

34. The Government would continue to review treaties and give consideration to the signing of treaties and optional protocols within the limits of its capacities to live up to the reporting obligations.

35. There continued to be no national consensus or bipartisan support for the abolition of capital punishment at the time. Barbados highlighted that there remained a de facto moratorium on the application of the death penalty since there had been no executions in Barbados since 1984.

36. On the issue of the mandatory death penalty, legislation was being reviewed to provide for the abolition of the mandatory imposition of the death penalty and preparations were being finalized for its submission to Cabinet prior to its introduction to Parliament. The Offences Against the Person (Amendment) Bill, 2014, was the focal point of efforts to address the removal of the mandatory imposition of the death penalty. The object of the Bill was to amend section 2 of the Offences Against the Person Act so as to abolish the mandatory imposition of the death penalty for murder.

37. Barbados intended to improve on its human rights reporting record and had already started doing so. The National Human Rights Coordinating Committee was the Barbadian form of a national mechanism for reporting and follow-up. Even with the creation of the Committee, certain constraints regarding human resources and finances remained as significant hurdles to timely implementation, reporting and follow-up.

38. The establishment of a national human rights institution was being considered by the interministerial National Human Rights Coordinating Committee. It was expected that recommendations would be made by that body on the form and steps to be taken that would result in the establishment of a national human rights institution.

39. The Government reiterated its commitment to pursuing the promotion of human rights at home and abroad and working with States and all other stakeholders in that most important exercise.

B. Interactive dialogue and responses by the State under review

40. During the interactive dialogue, 52 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

41. Indonesia welcomed the ratification of the Convention on the Rights of Persons with Disabilities, the adoption of the Domestic Violence (Protection Orders) (Amendment) Act, 2016, the creation of the Partnership for Peace programme and measures to combat domestic violence in Barbados.

42. Ireland commended Barbados on the adoption of the Domestic Violence (Protection Orders) (Amendment) Act and the establishment of the Family Conflict Intervention Unit, noting with concern the high prevalence of gender-based violence. It encouraged Barbados to decriminalize consensual homosexual relations, to protect lesbian, gay, bisexual, transgender and intersex persons from discrimination and provide the special procedure mandate holders with a standing invitation. It noted with regret that the legislation to abolish the death penalty remained pending.

43. Italy praised Barbados for its efforts to fight domestic violence and sexual harassment by adopting new legislation and ratifying the Convention on the Rights of Persons with Disabilities and the Convention against Transnational Organized Crime, in particular its Protocols.

44. Jamaica commended Barbados for its progress in education and housing as well as police training. It noted with appreciation the work of the Bureau of Gender Affairs to eliminate gender discrimination and domestic violence, the launch of the National Youth Parliament and the proclamation of the Safety and Health at Work Act.

45. Libya applauded the establishment of the National Human Rights Coordinating Committee and measures taken in the area of human rights outlined in the national report. It welcomed the plans to set up family courts in Barbados.

46. Maldives commended Barbados for the establishment of the National Human Rights Coordinating Committee and noted with appreciation the efforts made in adopting the Domestic Violence (Protection Orders) (Amendment) Act and the Employment Sexual Harassment (Prevention) Act, 2017.

47. Mexico welcomed the ratification of the Convention on the Rights of Persons with Disabilities in 2013, which would extend the legal framework for the protection of that group of persons. Mexico recognized the work that had been done to realize the Sustainable Development Goals through a follow-up mechanism to measure the progress in their implementation. Mexico highlighted the efforts of Barbados to foster the capacity and technical assistance in the presentation of the reports of the national mechanisms for reporting and follow-up to the major international human rights instruments.

48. Montenegro welcomed the efforts to achieve high literacy rates among women and girls and gender parity in education, calling on Barbados to adopt legislation against discrimination on the basis of gender. It encouraged Barbados to intensify its cooperation with OHCHR and, if necessary, to seek technical assistance to fulfil its reporting obligations and harmonize its legislation with international human rights standards, particularly with the Convention on the Rights of the Child.

49. Morocco noted with satisfaction the efforts to ensure gender equality in education and to implement a plan to promote sustainable social and economic development and a regional project to improve access to justice. It also praised the measures taken by Barbados in order to ensure integration and protection of persons with disabilities by ratifying the Convention on the Rights of Persons with Disabilities.

50. Mozambique welcomed the adoption of the Domestic Violence (Protection Orders) (Amendment) Act, programmes to combat intergenerational poverty focused on women and legislative instruments to align national laws with international human rights instruments. It also praised Barbados for the establishment of a family conflict prevention unit.

51. Namibia noted that Barbados remained committed to the promotion and protection of human rights regardless of the many challenges, such as the effects of climate change or lack of resources and capacity to implement policies and programmes. It welcomed efforts to establish the National Human Rights Coordinating Committee and to adopt the Domestic Violence (Protection Orders) (Amendment) Act and the Employment Sexual Harassment (Prevention) Act.

52. The Netherlands commended Barbados for the adoption of the Domestic Violence (Protection Orders) (Amendment) Act, expressing concern about the prevalence of gender-based violence, particularly domestic violence and sexual abuse. It noted that there seemed to be underreporting of gender-based violence cases and a lack of shelters for victims of that crime.

53. New Zealand praised Barbados for its commitment to abolishing the death penalty for murder, as well as the steps it had taken to establish a national committee for monitoring the rights of the child, and to ratifying the Convention on the Rights of Persons with Disabilities. It also welcomed the commitment by Barbados to reduce social inequalities through the Persons with Disabilities Bill.

54. Peru recognized the progress that had been made in the human rights situation. It praised Barbados for its efforts to implement the school programme on positive behaviour management and the campaign "Break the Silence". It hoped that the current cycle would contribute to the improvement of human rights in the country.

55. The Philippines noted achievements in promoting an effective judiciary and freedom of speech and of the press, acknowledging the efforts to maintain an enabling environment for national and international human rights groups. It commended Barbados for its appropriate legislation on employment rights.

56. Portugal applauded the ratification of the Convention on the Rights of Persons with Disabilities and adoption of the Domestic Violence (Protection Orders) Act.

57. The Republic of Korea welcomed the expanded role of the National Human Rights Coordinating Committee in conducting research and working to establish a national human

rights institution. It also noted with appreciation the work on a framework policy to combat gender discrimination in Barbados.

58. Senegal commended Barbados for the ratification, in 2013, of the Convention on the Rights of Persons with Disabilities and for its cooperation with the special procedure mandate holders. It also commended Barbados for the creation of a national mechanism for reporting and follow-up, participation in the initiatives of the Human Rights Council and activities related to the rights of women, children and persons with disabilities.

59. Sierra Leone applauded the commitment of Barbados to human rights in spite of various financial challenges. It welcomed the creation of a national mechanism for reporting and follow-up and encouraged Barbados to accede to the Convention relating to the Status of Refugees and its 1967 Protocol; withdraw its reservation to the Convention relating to the Status of Stateless Persons; and ratify the Convention on the Reduction of Statelessness.

60. Singapore welcomed the ratification by Barbados of the Convention on the Rights of Persons with Disabilities. It commended initiatives such as the technology programme to improve educational outcomes for blind and visually impaired children and welcomed efforts by Barbados to enhance women's rights, particularly through its draft national policy on gender. It also commended Barbados for its efforts to promote the human rights of its people and safeguard their economic and social rights, while confronting its economic challenges.

61. Slovenia commended Barbados for the ratification of the Convention on the Rights of Persons with Disabilities and encouraged the country to extend a standing invitation to all special procedure mandate holders and respond positively to their requests for official visits.

62. The State of Palestine encouraged Barbados to extend a standing invitation to special procedure mandate holders. It also welcomed the efforts by Barbados to empower women and realize gender equality, including through the drafting of a national policy on gender, and commended the country for the steps it had taken in the area of education, in particular for children with disabilities.

63. Timor-Leste noted with appreciation that Barbados had drafted a national policy on gender. It welcomed the adoption of the Domestic Violence (Protection Orders) (Amendment) Act, 2016, and the establishment, in 2013, of the Family Conflict Intervention Unit. It also commended Barbados for promoting human rights training among members of the Police Force.

64. Trinidad and Tobago acknowledged the progress of Barbados in improving its human rights framework. It also appreciated the steps taken to address domestic violence, including by establishing the Family Conflict Intervention Unit and updating relevant legislation, and acknowledged the efforts made to improve the Police Force. It was pleased by the ratification of the Convention on the Rights of Persons with Disabilities and welcomed the efforts of Barbados to improve the lives of such persons.

65. Ukraine acknowledged the positive steps taken by Barbados with respect to the implementation of the recommendations accepted during previous cycles, in particular the ratification of the Convention on the Rights of Persons with Disabilities and improvements in the professionalism of the Police Force. It encouraged Barbados to take further measures to advance human rights.

66. The United Kingdom welcomed the commitment by Barbados to protect and promote human rights, especially the rights of children, but noted the need for further progress in the area of violence against women and the protection of lesbian, gay, bisexual and transgender persons against discrimination. It urged Barbados to amend the legislation so as to abolish the mandatory death penalty and noted that the country did not have a national human rights institution.

67. The United States of America was pleased to note the strong respect of Barbados for human rights. Nevertheless, it was concerned about lengthy pretrial detention, insufficient action on corruption and reports of sex trafficking of children.

68. Uruguay welcomed the progress and legislative reforms of Barbados in combating discrimination against women. It also welcomed the new legislation that was being

elaborated by the Government aimed at reducing discrimination against various vulnerable groups.

69. The Bolivarian Republic of Venezuela welcomed the progress made by Barbados in implementing the recommendations it had accepted during the previous cycles of the universal periodic review. It noted numerous positive developments, including the ratification of the Convention on the Rights of Persons with Disabilities, the country's high level of human development and the implementation of programmes to fight extreme poverty. It also noted progress in the field of adequate housing and the empowerment of women.

70. Algeria welcomed the progress made by Barbados since its second universal periodic review and commended it for the implementation of a development plan aimed at promoting lasting social development. It also welcomed the efforts of Barbados in the field of education, health and poverty reduction.

71. Angola commended Barbados for the implementation of the recommendations from the last universal periodic review and the adoption, in 2016, of legislation ensuring better protection for women. It appealed to OHCHR and other United Nations agencies to continue engaging with Barbados on capacity-building and technical assistance.

72. Argentina welcomed the delegation of Barbados and thanked it for the presentation of its national report.

73. Australia commended the progress in promoting and protecting human rights, including ratification of the Convention on the Rights of Persons with Disabilities. It was concerned that lesbian, gay, bisexual, transgender and intersex persons continued to be subject to discrimination. It was seriously concerned with the perpetration of violence and abuse against women and children. Australia acknowledged the commitment of Barbados to end the courts' use of the death penalty as a sentence, while it was concerned at the delay in its implementation.

74. Azerbaijan commended Barbados for the progress it had achieved in addressing the recommendations it had received during the last cycle. It appreciated the wide range of legislative and institutional measures undertaken by Barbados to further improve the protection and promotion of human rights, including throughout the policies pursued with regard to the right to education, the right to health, gender equality, domestic violence and the rights of persons with disabilities. It congratulated Barbados for ratifying the Convention on the Rights of Persons with Disabilities.

75. The Bahamas congratulated Barbados on its commitment to the protection and promotion of human rights, while noting that Barbados faced challenges due to its vulnerability to external shocks. Despite that, Barbados had ratified the Convention on the Rights of Persons with Disabilities and made legislative reforms through the promulgation of the Domestic Violence (Protection Orders) (Amendment) Act, 2016, and the Employment Sexual Harassment (Prevention) Act, 2017.

76. Belgium acknowledged the positive steps taken by Barbados with respect to the implementation of recommendations accepted during the second cycle. However, it was convinced that further progress could still be achieved to increase the protection of human rights in line with the core international human rights treaties. Belgium attached a lot of importance to the rights of the child in Barbados.

77. Brazil appreciated the efforts made by Barbados to abolish the mandatory death penalty in cases of murder. It praised the de facto moratorium on this kind of punishment, as no execution had been applied since 1984. It commended the initiatives of the high-level authorities in support of tolerance and respect for the rights of lesbian, gay, bisexual, transgender and intersex persons. It praised the high literacy rates among women and the gender parity at the primary and secondary school levels. However, it expressed its concern about the situation of victims of domestic violence.

78. Canada commended the Government's adoption of the Employment Sexual *Harassment (Prevention) Act, 2017. It welcomed the launch in Barbados of the Model* Guidelines for Sexual Offence Cases in the Caribbean Region in 2017 — the first country in the region to do so. The Model Guidelines provided internationally accepted best practices

for the management of sexual offence cases, and offered a rights-based approach to the treatment of complaints and vulnerable witnesses, including children, involved in sexual assault cases.

79. Chile was pleased that Barbados had ratified the Convention on the Rights of Persons with Disabilities, a recommendation that it had accepted in the second cycle, and encouraged the country to continue working for its effective implementation. The adoption of the Trafficking in Persons Prevention Act, which criminalized various forms of trafficking in human beings, was a substantial step forward in the fight against trafficking and modern forms of slavery. It commended Barbados for applying this Act, while taking into special consideration the situation of women and children.

80. China noted the Growth and Development Strategy 2013–2020 of Barbados in promoting economic and social development, and the protection of the rights to education and health by providing free education and health services. It also noted that Barbados had made positive progress in promoting gender equality, protecting the rights of women, children, the disabled and other vulnerable groups, and combating domestic violence.

81. Côte d'Ivoire commended the efforts of Barbados to promote and protect human rights. It welcomed the ratification of the Convention on the Rights of Persons with Disabilities, and encouraged taking the necessary measures for its effective implementation. It appreciated the cooperation of Barbados with OHCHR and other United Nations mechanisms, particularly with regard to capacity-building and technical assistance in the field of human rights.

82. Cuba commended Barbados for maintaining a constant commitment to the promotion and protection of human rights. It emphasized that free education and health systems had been maintained, and a social welfare system reached the most needy. It also noted the actions to promote the participation of young people in political processes, such as the creation of the National Youth Parliament. It highlighted the actions that had been carried out to combat domestic violence and those that were being applied to gender issues.

83. Denmark stated that ensuring full and effective gender equality and the protection of women and girls against all forms of discrimination were crucial when seeking to advance the respect for and protection of human rights and should be a key objective also in relation to ensuring socially and economically sustainable societies. It noted that during the second cycle, it was recommended that Barbados ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. By ratifying the Convention, Barbados would join more than 160 States parties in the unequivocal message that torture could never be tolerated. Denmark urged Barbados to explore assistance through the Convention against Torture Initiative.

84. Ecuador expressed its appreciation for the efforts of Barbados to comply with the recommendations received in its second cycle, especially for its legislation against different types of discrimination, which sought to guarantee the rights of historically marginalized groups. Ecuador also highlighted the ratification of the Convention on the Rights of Persons with Disabilities as a significant step forward in the protection and promotion of the rights of that group, and it wished Barbados every success in their proper implementation.

85. France welcomed the progress made in Barbados since 2013 in combating domestic violence against women, the creation of the Bureau of Gender Affairs and the launch of programmes that had led to a reduction in the number of recorded incidents of violence. It also welcomed the fact that Barbados had strengthened equality between men and women and made progress in combating violence against children.

86. Georgia noted with appreciation the ratification of the Convention on the Rights of Persons with Disabilities by Barbados and encouraged the country to accelerate its efforts towards elaboration of a national policy on disability. It welcomed the steps aimed at tackling domestic violence through passing the Domestic Violence (Protection Orders) (Amendment) Act, as well as establishment of the Family Conflict Intervention Unit. It underlined the importance of further strengthening policies in that regard.

87. Germany commended Barbados for its ratification of the Convention on the Rights of Persons with Disabilities and its efforts to draft anti-discrimination law. However, it remained concerned about the death penalty and corporal punishment of children.

88. Guyana congratulated Barbados on the establishment of the National Human Rights Coordinating Committee and looked forward to learning about the experience of establishing a national human rights institution. The draft gender policy currently under review and the creation of the Family Conflict Intervention Unit should be lauded as concrete initiatives in further addressing gender equality and especially the challenge of domestic violence and violence against women and children.

89. Haiti noted the progress and participation of Barbados in a regional project to improve access to justice, especially for women, and its efforts to adopt a draft law on juvenile justice and create a family court.

90. Honduras recognized and congratulated Barbados for the actions and measures taken to implement the recommendations received in the previous cycle. Honduras commended the commitment of Barbados to the realization of the 2030 Agenda for Sustainable Development. Honduras was convinced of the opportunity offered by this new framework for the realization of all human rights and welcomed the establishment of a new mechanism for the achievement of the Sustainable Development Goals.

91. Iceland welcomed the progress Barbados had made in the promotion of human rights, including the ratification of the Convention on the Rights of Persons with Disabilities.

92. India commended the improving social welfare system of Barbados, particularly for older persons, children and the unemployed, the facilitation measures taken by the National Disabilities Unit for the disabled to access education and transportation, and the provision of decent, safe and affordable housing to all. It appreciated the implementation of the Employment Rights Act, 2012, the ratification of the Convention on the Rights of Persons with Disabilities, the launching of the National Youth Parliament and the establishment of a national human rights institution.

93. The head of the delegation of Barbados thanked those who had shown appreciation of the country's efforts, those who were able to identify with the resource challenges that the country faced, and those members who contributed to the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States in the Work of the Human Rights Council.

94. The process of concluding the universal periodic review involved interaction with various organizations, stakeholders and NGOs. It forced Barbados to look at how the country was progressing in several areas and served to highlight those in which assistance was needed. It was a very useful exercise in that regard.

95. The head of the delegation concluded by restating the country's firm commitment to the observance and furtherance of human rights. Barbados would continue to implement its human rights obligations and, therefore, anticipated ongoing dialogue and, where appropriate, technical and other cooperation, to further that work.

II. Conclusions and/or recommendations

96. **The following recommendations will be examined by Barbados, which will provide responses in due time, but no later than the thirty-eighth session of the Human Rights Council:**

96.1 **Take steps towards the full abolition of the death penalty, including ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (New Zealand);**

96.2 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Ukraine);**

96.3 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and take the necessary measures to repeal the death penalty in its legislation (Argentina);**

96.4 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Belgium);**

96.5 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Côte d'Ivoire);**

96.6 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Georgia);**

96.7 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Iceland);**

96.8 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);**

96.9 **Consider ratifying the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Brazil);**

96.10 **Advance towards the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile);**

96.11 **Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Côte d'Ivoire);**

96.12 **Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);**

96.13 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Senegal);**

96.14 **Consider adhering to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador);**

96.15 **Consider ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);**

96.16 **Ratify the Convention against Torture and its Optional Protocol, and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Portugal);**

96.17 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Senegal);**

96.18 **Accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance (Sierra Leone);**

96.19 **Consider ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Slovenia);**

96.20 **Ratify other key international treaties, including the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, and the Optional Protocols to the Convention on the Rights of the Child (Ukraine);**

96.21 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Uruguay);**

96.22 **Direct adequate resources to support agencies responsible for the prevention of and response to violence against women and children, and accede**

to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Australia);

96.23 **Consider ratifying the Convention against Torture and the Optional Protocols to the Convention on the Rights of the Child (Azerbaijan);**

96.24 **Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as the International Convention for the Protection of All Persons from Enforced Disappearance (Belgium);**

96.25 **Ratify the Optional Protocol to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (Denmark);**

96.26 **Ratify the Convention against Torture and its Optional Protocol (Germany);**

96.27 **Consider ratifying the main international instruments on human rights, particularly those on children, migrants, torture and the death penalty (Haiti);**

96.28 **Ratify the Optional Protocols to the Convention on the Rights of the Child, on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict; the International Convention for the Protection of All Persons from Enforced Disappearance; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Honduras);**

96.29 **Ratify the Convention relating to the Status of Refugees of 1951 and its Protocol and also consider the possibility of withdrawing its reservation to the Convention relating to the Status of Stateless Persons of 1954 and ratify the Convention on the Reduction of Statelessness of 1961 (Honduras);**

96.30 **Continue efforts to ratify international instruments, such as the Convention against Torture and the International Convention for the Protection of All Persons from Enforced Disappearance (Morocco);**

96.31 **Present overdue reports to the human rights treaty bodies (Ukraine);**

96.32 **Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);**

96.33 **Consider issuing a standing invitation to all special procedure mandate holders (Georgia);**

96.34 **Continue efforts in establishing an independent national human rights institution in accordance with the Paris Principles (Indonesia);**

96.35 **Finalize the process of establishing a national human rights institution in line with the Paris Principles (Ukraine);**

96.36 **Establish an independent national human rights institution in accordance with the Paris Principles (Germany);**

96.37 **Consider creating an independent national human rights institution in accordance with the Paris Principles (Haiti);**

96.38 **Establish a national human rights authority in accordance with the Paris Principles (Honduras);**

96.39 **Continue its efforts to establish a national human rights institution (India);**

96.40 **Maintain its commitment to respect human rights, particularly through legislative measures (Cuba);**

96.41 **Intensify efforts aimed at finalizing the various pending human rights-related legislation, including the draft national gender policy, the Offences Against the Person (Amendment) Bill and the draft Juvenile Justice Bill (Namibia);**

96.42 **Enact legislation that ensures protection from discrimination on the grounds of sexual orientation or gender identity in the areas of employment, health care and education (Netherlands);**

96.43 **Repeal all legal provisions that discriminate against persons on the grounds of their sexual orientation and gender identity, including the relevant language in the Sexual Offences Act (United Kingdom of Great Britain and Northern Ireland);**

96.44 **Repeal the provisions that criminalize consensual homosexual relations, notably those contained in the Sexual Offences Act, and establish policies to combat discrimination, prejudice and violence based on sexual orientation and gender identity (Iceland);**

96.45 **Immediately repeal laws that criminalize consensual same-sex adult sexual relations (Canada);**

96.46 **Include lesbian, gay, bisexual, transgender and intersex persons in new legislation to prohibit any type of discrimination or violence based on sexual orientation or gender identity (Uruguay);**

96.47 **Consider repealing provisions that criminalize homosexuality (Italy);**

96.48 **Amend its criminal code to decriminalize consensual same-sex acts, and to take steps to implement legislative and public policy measures to protect the rights of lesbian, gay, bisexual, transgender and intersex persons (Australia);**

96.49 **Combat discrimination, prejudice and violence based on sexual orientation and gender identity through legislative reform and the adoption of awareness-raising measures (Canada);**

96.50 **Adopt legal measures to protect lesbian, gay, bisexual, transgender and intersex persons against violence and discrimination based on sexual orientation or gender identity (Chile);**

96.51 **Decriminalize same-sex relationships and combat discrimination against lesbian, gay, bisexual, transgender and intersex persons (France);**

96.52 **Establish the necessary normative framework to combat discrimination on the grounds of sex, sexual orientation or gender identity in order to promote sexual inclusion and gender equality (Mexico);**

96.53 **Engage in public education and sensitization campaigns about the rights of lesbian, gay, bisexual and transgender persons (Timor-Leste);**

96.54 **Take measures to decriminalize consensual sexual relations between adults of the same sex (Uruguay);**

96.55 **Consider abolishing the death penalty (Mozambique);**

96.56 **Enact legislation to abolish the mandatory death penalty, in line with previously accepted recommendations, and commute the sentences of all persons currently on death row to life imprisonment (Ireland);**

96.57 **Speed-up the process to remove provisions in national law that provide for the mandatory imposition of the death penalty (Italy);**

96.58 **Permanently abolish the death penalty in continuation of Barbados de facto moratorium (France);**

96.59 **Abolish the death penalty for all crimes and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Germany);**

96.60 **Consider establishing an official moratorium on the death penalty, with a view to totally abolishing it, while noting that the country has maintained a de facto moratorium for more than 30 years (Namibia);**

96.61 **Impose a moratorium on the mandatory death penalty (Timor-Leste);**

96.62 **Promote a national debate on capital punishment and consider the adoption of a de jure moratorium on executions with a view to abolishing the death penalty (Italy);**

96.63 **Consider applying a moratorium on the death penalty (Angola);**

96.64 **Establish a formal moratorium on the death penalty, as a step towards the complete abolition of this practice (Australia);**

96.65 **Consider the abolition of the death penalty, while adopting a de facto moratorium on the death penalty (Chile);**

96.66 **Establish a mandatory moratorium on the use of the death penalty in conformity with the international standards on the matter (Mexico);**

96.67 **Continue to work towards reducing the reported incidences of abuse of force by the Police Force, through ongoing training and improved internal investigation techniques (Jamaica);**

96.68 **Address the backlog and undue delays in scheduling of court dates and appearances of juries and defendants, including by creating an accurate and transparent online case-tracking system, in order to ensure that all criminal defendants are afforded fair trial guarantees and equality before the courts consistent with the country's international obligations (United States of America);**

96.69 **Consider raising the age of criminal responsibility for children and to reverse the practice of trying persons aged 16 as adults (Namibia);**

96.70 **Increase the age of criminal responsibility, in line with the recommendations made by the United Nations human rights mechanisms (Republic of Korea);**

96.71 **Raise the minimum age of criminal responsibility to more than 11 years (Sierra Leone);**

96.72 **Raise the age of criminal responsibility for all types of offences (Haiti);**

96.73 **Move forward with the enactment and implementation of the Juvenile Justice Bill (Bahamas);**

96.74 **Expedite the adoption of the Juvenile Justice Bill in order to, inter alia, outlaw the use of corporal punishment as a criminal sanction (Belgium);**

96.75 **Promulgate the Prevention of Corruption Act of 2012 (United States of America);**

96.76 **Adopt a national policy on trafficking in persons (Trinidad and Tobago);**

96.77 **Address trafficking in persons, particularly by providing adequate resources to government agencies for training and furthering anti-trafficking efforts, as well as providing sufficient resources for victim care (Philippines);**

96.78 **Continue to fight against human trafficking and to protect its victims, in particular by providing support and assistance to women and girls trafficked for the purposes of prostitution and forced labour (Portugal);**

96.79 **Increase efforts to stop and prevent human trafficking, initially by fully enforcing existing laws and increasing funds to do so (Republic of Korea);**

96.80 **Develop a national action plan to combat human trafficking, ensuring that it is allocated sufficient human and financial resources (United Kingdom of Great Britain and Northern Ireland);**

96.81 **Step up efforts to prosecute human traffickers, including child sex traffickers, and identify and assist victims of this crime (United States of America);**

96.82 **Continue efforts to combat trafficking in human beings, in particular through appropriate care and programmes to assist victims and facilitate their reinsertion into society (Morocco);**

96.83 **Amend national legislation to ensure equality in nationality law, facilitating the acquisition, changing and retention of nationality and allowing mothers to transfer their nationality to their offspring regardless of whether or not they are adopted (Sierra Leone);**

96.84 **Amend its laws to ensure gender equality between Barbadian mothers and fathers with respect to their ability to transfer their nationality to their children in all circumstances (Germany);**

96.85 **Amend national legislation to reflect the fact that any child born outside of Barbados to a Barbadian citizen is entitled to citizenship by descent (Iceland);**

96.86 **Continue and, if possible, intensify programmes aimed at expanding the participation of women in more varied fields of employment (Jamaica);**

96.87 **Continue to advance in its successful social policies, especially in the areas of economic, social and cultural rights, in order to provide the greatest possible welfare to its population (Bolivarian Republic of Venezuela);**

96.88 **Reinforce the programmes against the feminization of poverty (Peru);**

96.89 **Continue to promote economic and social sustainable development to lay a solid foundation for people's enjoyment of all human rights (China);**

96.90 **Include measures aimed at ensuring the transparent, efficient and accountable delivery of public services in its national development strategy (Azerbaijan);**

96.91 **Improve access to quality health-care services for all, including in remote areas, and address the challenges of maternal mortality (Indonesia);**

96.92 **Continue to strengthen efforts to consolidate the national legal framework by including provisions and laws on the right to education, to improve access to quality education (Libya);**

96.93 **Include explicitly the right to education for all without discrimination in its normative framework (Mexico);**

96.94 **Consider an explicit incorporation of the right to education in its national legislation (Peru);**

96.95 **Continue to strengthen the institutions that promote local culture, incorporating human rights training and awareness based on an approach that sees human rights as complementary to Barbadian culture and nationalism (Jamaica);**

96.96 **Elaborate a clear, appropriate policy and/or measures for pregnant schoolgirls that allows them to remain in formal education, sit exams and then return to school after giving birth, including through the use of approaches, such as separate classes, that are aimed at breaking the cycles of poverty, teenage pregnancy and domestic violence (Jamaica);**

96.97 **Approve and implement the national policy on gender (Philippines);**

96.98 **Advance the finalization of the national policy on gender (Bahamas);**

96.99 **Adopt legislation to outlaw discrimination based on gender, including in employment (Republic of Korea);**

96.100 **Enhance efforts to combat gender stereotyping and gender inequality (Portugal);**

96.101 **Expand its programmes aimed at eliminating the stereotypical portrayal of gender in society and the workplace in order to reduce gender inequalities (Singapore);**

96.102 **Continue its efforts to strengthen the understanding of equality of women and men and ensure equal rights and opportunities for women (State of Palestine);**

96.103 **Continue its efforts to promote gender equality and poverty reduction (Timor-Leste);**

96.104 **Continue its efforts to address gender inequality as it relates to the conference on nationality (Trinidad and Tobago);**

96.105 **Strengthen gender equality and ensure equal rights and opportunities for women victims of converging forms of discrimination, particularly migrant women and women belonging to religious minorities (Algeria);**

96.106 **Take effective measures to ensure gender equality (Angola);**

96.107 **Further promote gender equality and better protect the rights of women and children (China);**

96.108 **Step up efforts to combat gender-based violence and provide adequate redress and protection to women who are victim of such violence, for example by establishing shelters, issuing and enforcing protection orders and enhancing cooperation with NGOs that provide assistance and rehabilitation to victims (Netherlands);**

96.109 **Take further steps to strengthen the implementation of legislation that prohibits and penalizes abuse against women and children, as well as domestic violence (Philippines);**

96.110 **Strengthen efforts in the fight against all forms of violence against women and ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Portugal);**

96.111 **Accord high priority to the full implementation of legislation on gender-based violence and ensure that perpetrators are prosecuted and adequately punished (Ireland);**

96.112 **Enhance efforts to combat all forms of violence against women and children (Italy);**

96.113 **Adopt specific legislation to prevent and combat sexual harassment in all areas (Honduras);**

96.114 **Intensify efforts to bring national legislation on combating all forms of discrimination into line with international standards (Georgia);**

96.115 **Continue efforts to combat violence and discrimination against women and promote their inclusion in decision-making bodies (Morocco);**

96.116 **Improve the representation of women in decision-making positions in the Parliament, Government and diplomatic service (Trinidad and Tobago);**

96.117 **Strengthen the Family Conflict Intervention Unit of the Royal Barbados Police Force (Peru);**

96.118 **Harmonize legislation regarding the definition of a child, the administration of juvenile justice, violence against children and custody with the Convention on the Rights of the Child (Ecuador);**

96.119 **Make statutory provision for the draft mandatory reporting protocol on child abuse (Bahamas);**

96.120 **Take steps to address issues raised by the Committee on the Rights of the Child in 2017 with regard to the corporal punishment of children and continue**

its efforts to educate the population on the negative impact of such punishment (New Zealand);

96.121 **Adopt measures with a view to eliminate corporal punishment in all settings, in particular in schools (Slovenia);**

96.122 **Implement measures to prohibit corporal punishment as a disciplinary sanction in schools and at home (Uruguay);**

96.123 **Take steps to prohibit corporal punishment, especially at school (Italy);**

96.124 **Take the necessary measures to repeal all legislation allowing corporal punishment (Argentina);**

96.125 **Outlaw the use of corporal punishment, especially in criminal and educational settings, in accordance with international human rights standards (Brazil);**

96.126 **Continue to combat violence against children, which is a worrying phenomenon in Barbados, in particular by providing the Child Care Board with additional financial and human resources (France);**

96.127 **Abolish corporal punishment (Germany);**

96.128 **Call on international technical assistance to review the legal framework in respect of certain traditional social attitudes and, in particular, corporal punishment, with a view to follow up on paragraph 14 of the recommendations from the first cycle and paragraphs 102.80, 102.81, 102.82, 102.83, 102.84, 102.85 and 102.86 of those from the second cycle (Haiti);**

96.129 **Prohibit corporal punishment of children in all settings (Montenegro);**

96.130 **Take the necessary measures to combat discrimination against migrant children and children with disabilities. Existing laws prohibiting discrimination should be fully implemented, including by intensifying awareness campaigns aimed at combating negative social attitudes towards these children (Algeria);**

96.131 **Continue to seek parliamentary approval for the Persons with Disabilities Bill and take concrete steps towards its implementation (New Zealand);**

96.132 **Continue to explore creative and practical applications of technology to support persons with disabilities and to better integrate them into society (Singapore);**

96.133 **Continue its efforts to ensure that persons with disabilities have equal access to education and health services (State of Palestine);**

96.134 **Pursue legislative action to implement its obligations under the Convention on the Rights of Persons with Disabilities (Australia);**

96.135 **Continue effective measures to ensure that children with disabilities have access to special health care, including early detection and intervention programmes (Maldives);**

96.136 **Establish national legislation on refugees that promotes and protects their rights in compliance with international standards (Sierra Leone);**

96.137 **Fully implement existing laws protecting the rights of migrant workers, especially any discrimination against migrant women and children, particularly in the areas of education, housing and access to health care (Guyana).**

97. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Barbados was headed by Hon. Steven Blackett, M.P. Minister of Social Care, Constituency Empowerment and Community Development, and composed of the following members:

- H.E. Mr. Bentley Gibbs, Ambassador/Permanent Representative Permanent Mission of Barbados;
- Mr. Valton Bend, Ombudsman;
- Mr. Hughland Allman, Deputy Permanent Representative;
- Mr. Jeffrey Kellman, Deputy Permanent Secretary;
- Ms. Shawn Belle, Senior Parliamentary Counsel;
- Dr. Ricardo Kellman, Foreign Service Officer.